

February 21, 2020

**SUBMITTED VIA FOIA ONLINE**

<https://foiaonline.gov/foiaonline/action/public/request>

Regional Freedom of Information Officer

U.S. EPA, Region 1 (OARM01-6)

5 Post Office Square, Suite 100

Boston, MA 02109-3912

**Re: Request for Records Pursuant to 5 U.S.C. § 552 (FOIA)**

Dear Sir/Madam:

The within request for records is made pursuant to the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552.

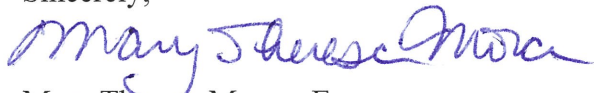
The subject matter is SMM New England Corporation, Inc., ("SMM") a Rhode Island automobile and scrap metal recycler which operates a vehicle and scrap metal shredding operation at 14 and 15-17 Green Earth Avenue in Johnston, R.I. 02919. The Rhode Island Department of Environmental Management is identified herein for convenience as "RIDEM." The Federal Environmental Protection Agency is identified herein for convenience as "EPA." This office requests the following documents:

1. Any and all documents, correspondence, including e-mails, communications, or any other records, by and between EPA and RIDEM and any/or third parties, that pertain to any of SMM's facilities located in Johnston, Rhode Island from January 1, 2013, up to the present including, but not limited to, any complaint regarding noise, discharges, emissions, and/or air quality.
2. Any and all documents, correspondence, including e-mails, communications, or any other records with SMM and/or Sims Metal Management relating to issues of air quality, emissions, or discharges from January 1, 2013 up to the present.
3. Any and all EPA documents, correspondence, including e-mails, and communications, including but not limited to memoranda or meeting notes, or any other records, that pertain to any of SMM's facilities located within the State of Rhode Island, from January 1, 2013, up to the present including, but not limited to, notes from site inspections, investigative reports, and/or notices of intent to enforce or similar documents.
4. Results of any tests or equipment recording or otherwise monitoring air quality and/or emissions at or in the vicinity of the SMM facility in Johnston, Rhode Island.

In order to help determine my status to assess fees, please know that I am an attorney representing a party in a civil suit against SMM New England Corporation. My firm, Kelly, Souza, Rocha & Parmenter, P.C. is willing to pay fees for this request up to a maximum of \$200. If you estimate that the fees will exceed this limit, please inform me first.

Your prompt attention to this request is appreciated. Please contact this office through email or by phone at (401) 490-7334 ext. 199 as soon as possible if you have any questions concerning this request.

Sincerely,



Mary Theresa Moran, Esq.

[tmoran@ksrplaw.com](mailto:tmoran@ksrplaw.com)